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SUBJECT: UKRAINE: INTERIOR MINISTER ON UPCOMING ELECTIONS

(U) Sensitive but unclassified. Not for Internet.

1. (SBU) Summary: At a March 20 meeting, Minister of Interior (MVS) Yuri Lutsenko told DCM and former Ambassador to Ukraine Miller that the March 26 elections would go smoothly and election day would likely be calm, despite technical problems with election administration. His Ministry would not interfere in any peaceful demonstrations that might spring up following the election or place any riot police on the streets. Turning to politics, he agreed that opposition party Regions of Ukraine would come in first, with President Yushchenko's Our Ukraine second and ex-PM Tymoshenko's eponymous bloc in third place. Lutsenko looked to the reunification of the Orange coalition and thought that an Orange-Blue coalition was unlikely, with a Tymoshenko-Regions coalition the least likely possibility. Lutsenko reiterated his pledge to resign if the Constitutional Court (once its quorum is re-established) were to uphold legislation enacted in fall 2005 that granted immunity to legislative deputies at all levels of government. He said that the MVS under his leadership would not be used for political purposes and that President Yushchenko had never tried to use the MVS for political ends. He said he would serve only in an Orange government. End summary.

2. (SBU) Minister of Interior Lutsenko arrived nearly 40 minutes late to a March 20 meeting to sign a protocol to the U.S.-Ukraine MOU on bilateral law enforcement assistance programs (ref A). Apologizing, he explained that a meeting with Kiev Mayor Omelchenko to discuss arrangements to ensure that voting would proceed smoothly on Sunday, March 26, had gone long. Lutsenko said that his Ministry would not interfere in peaceful demonstrations or otherwise infringe on the people's right to peaceful assembly. Ukrainian law did not specify what protesters could or could not do during rallies. Chuckling, Lutsenko admitted that he had used any legal methods available when he was in opposition (note: Lutsenko was one of the key leaders of the Orange Revolution), so he would not limit the right of people to peacefully assemble and express views.

3. (SBU) Lutsenko expected that the elections would go smoothly and that the situation would remain calm, but if any demonstrations took place and became violent, the police would intervene. The MVD would not permit attacks on government buildings or street fights, he added. Post-election demonstrations might take place in Kharkiv, Luhansk and Kiev. In an effort to ensure that tension was not ratcheted up unnecessarily, Lutsenko said he planned to place female MVD officers, primarily young officers and cadets, on the streets ("because they are less intimidating," he smiled) and would not outfit them in riot gear. No special force MVD troops or special equipment would be deployed on the city streets on election day.

4. (SBU) Lutsenko said that the opposition might call its supporters into Independence Square after the election, but his Ministry had practiced mechanisms for separating different groups of protestors by inserting a chain of police personnel between the opposing groups. He said the MVD tested this method during the Eurovision competition in Kiev in May 2005. He thought it likely that demonstrations would take place, especially if the vote tabulation process dragged out, as it likely would, given the large number of parties contesting the election and the simultaneous election for the national, regional, and local legislative bodies. He speculated that it might take two days for preliminary results and up to a week for the official tabulation to be completed. Lawsuits over the final numbers could delay the process further. Lutsenko dismissed any notion of a "second Maidan" standing up, particularly since the relatively warm weather would make any such effort appear to be "political tourism" when compared with the bitter winter weather withstood by protestors during the November-December 2004 demonstration.

5. (SBU) Lutsenko said there were technical problems with the election administration, but these problems were not the result of any systematic effort by the GOU to manipulate or influence the voting. Voter lists were incomplete. He asserted that [opposition] local authorities in some oblasts under the control of the previous government had tampered

intentionally with the voter lists so that opposition political forces could later charge the Yushchenko government with conducting unfair elections. He said that some 10,000 voters' names had disappeared from the lists in Krasny Luch in Luhansk oblast after local authorities received the list from the MVS. (Note: The MVS is responsible for registering all citizens and issuing domestic passports). The regions with the most problematic lists included Odesa, Kharkiv, Crimea and some other mostly eastern and southern regions. There were problems also in western and central Ukraine (e.g., Vinnytsya), but not as many. Over the last two weeks, the MVS had spent considerable effort reviewing the lists and working to uncover any tampering with them. A few dozen criminal cases had already been instituted. Compared with the 2004 presidential elections, he said, the situation was quite calm; no newspapers had been shut down, and no political rallies had been dispersed by police. In the post-election period, police would be "tolerant but effective."

16. (SBU) Lutsenko was concerned that voters would have to wait in long lines at polling places, given the number and length of the ballots they had to complete. But this was outside of MVS's competence. MVS would stop any attempts to campaign on the election day or to remove ballots from polling stations by voters who might wish to sell their ballots. Lutsenko also was concerned by the understaffing of polling station commissions, predicting that the shortage of poll workers would slow down the tallying of the ballots. Lutsenko emphasized that he would not allow the use of the police for political purposes. President Yushchenko had never called him with instructions to use the MVS for any political purposes, neither to pressure political opponents or businesses nor protect any friends.

17. (SBU) Turning to the outcome of the voting, Lutsenko predicted that the Party of Regions would finish first with 30% of the vote, followed by Our Ukraine with 20%, and Tymoshenko's BYuT with 15-17%. Lutsenko's own party, the Socialists, would likely receive about 8-10% of the vote, with Speaker Lytvyn's bloc and the Communist Party each receiving roughly 4-5% of the vote. [Radical Socialist] Vitrenko and [reformist] PRP-PORA hovered on the edge of the 3% threshold. He predicted that Team Orange (Our Ukraine, BYuT and Socialists) would receive "far more" than 30% together. Negotiations on a parliamentary coalition would begin after the election results were known. Whether Our Ukraine or BYuT came in second place would strongly influence the coalition negotiations.

18. (SBU) Lutsenko laid out three possible scenarios, from the most to the least likely. The likeliest scenario was the reunification of the Orange Team, although he conceded that bringing the team back together would be tough as long as "Yuliya" demanded the premiership. Our Ukraine might unite with Regions. Such a Blue-Orange (Regions-Our Ukraine) coalition might not be good for the two political forces, but might be good for the country, he added, as long as none of the "odious" people in Regions were included in the coalition. The least likely scenario was a BYuT-Regions coalition.

19. (SBU) Lutsenko predicted that, as the sixty-day clock for forming a new government neared expiration, many of the new deputies (particularly businessmen) would vote for any candidate to avoid a presidential dissolution of the parliament [which would call for new elections within 60 days]. Businessmen would not want to fund another election campaign.

110. (SBU) Lutsenko reiterated his pledge to resign if the Constitutional Court were to uphold legislation enacted by the Rada and signed in fall 2005 by President Yushchenko that granted immunity to deputies at all levels of government. While Lutsenko did not predict what the Constitutional Court would have the opportunity to review the legislation, he joked that Rada Speaker Lytvyn had in effect extended his [Lutsenko's] tenure as MVS Minister by refusing to let the Constitutional Court be seated. He also said he would resign if the new government were not Orange.

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